

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LONG MOTORS, INC.)	
COMPLAINANT)	
)	
v.)	CASE NO. 95-018
)	
SOUTH CENTRAL BELL TELEPHONE)	
COMPANY)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

South Central Bell Telephone Company ("South Central Bell") is hereby notified that it has been named as defendant in a formal complaint filed on January 17, 1995, a copy of which is attached hereto.


Pursuant to 807 KAR 5:001, Section 12, South Central Bell is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order. South Central Bell's response shall include a detailed description of the reasonableness of the tariff section in question.

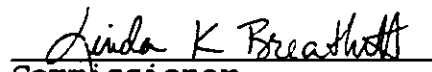
Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 26th day of January, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

By

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RECEIVED

Long Motors Inc.
(Your Full Name)
COMPLAINANT
VS.
South Central Bell
(Name of Utility)
DEFENDANT

JAN 17 1995

PUBLIC SERVICE
COMMISSION

95-018

C O M P L A I N T

The complaint of Long Motors Inc. respectfully shows:
(Your Full Name)

(a) Long Motors Inc.
(Your Full Name)

200 Beaver Station Rd Shelbyville, Ky 40065
(Your Address)

(b) South Central Bell - KY.
(Name of Utility)

601 W. Chestnut Louisville, Ky, 40202
(Address of Utility)

(c) That: See Attached Tariff 2A - Eff. Sept 1994
(Describe here, attaching additional sheets if

necessary, the specific act, fully and clearly, or facts
that are the reason and basis for the complaint.)

Formal Complaint

Long Motors Inc VS South Central Bell
(Your Name) (Utility Name)

Page 2

Wherefore, complainant asks Additional business Phone
(Specifically state the

lines are necessary for our continued growth
(relief desired.)

Present 2 business lines have wide area calling

service. The requested new service was made w/o

wide area calling - which is not needed. Tariff 2-A
allows the monopoly to require wide area service on
any new service. This is cost prohibitive against FED. LAWS.

Dated at 1/13/95, Kentucky, this 13 day
(Your City)

of Jan, 1995.
(Month)

Long Motors Inc - Kent Long - Pres.
(Your Signature)

VIC BRIZENDINE ATTY.
(Name and address of attorney, if any)
PO Box 536 Shelbyville KY 40066

Section 12. Formal Complaints. (1) Contents of complaint. Each complaint shall be headed "Before the Public Service Commission," shall set out the names of the complainant and the name of the defendant, and shall state:

(a) The full name and post office address of the complainant.

(b) The full name and post office address of the defendant.

(c) Fully, clearly, and with reasonable certainty; the act or thing done or omitted to be done, of which complaint is made, with a reference, where practicable, to the law, order, or section, and subsections, of which a violation is claimed, and such other matters, or facts, if any, as may be necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall set forth definitely the exact relief which is desired. (See Section 15(1))

(2) Signature. The complaint shall be signed by the complainant or his attorney, if any, and if signed by such attorney, shall show his post office address. Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

(3) Number of copies required. At the time the complainant files his original complaint, he must also file copies thereof equal in number to ten (10) more than the number of persons or corporations to be served.

(4) Procedure on filing of complaint:

(a) Upon the filing of such complaint, the commission will immediately examine the same to ascertain whether it establishes a prima facie case and conforms to this regulation. If the

does not establish a prima facie case or does not conform to this regulation, it will notify the complainant or his attorney to that effect, and opportunity may be given to amend the complaint within a specified time. If the complaint is not so amended within such time or such extension thereof as the commission, for good cause shown, may grant, it will be dismissed.

(b) If the commission is of the opinion that such complaint, either as originally filed or as amended, does establish a prima facie case and conforms to this regulation, the commission will serve an order upon such corporations or persons complained of under the hand of its secretary and attested by its seal, accompanied by a copy of said complaint, directed to such corporation or person and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of such order, provided that the commission may, in particular cases, require the answer to be filed within a shorter time.

(5) Satisfaction of the complaint. If the defendant desires to satisfy the complaint, he shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which he is willing to give. Upon the acceptance of this offer by the complainant and the approval of the commission, no further proceedings need be taken.

(6) Answer to complaint. If satisfaction be not made as aforesaid, the corporation or person complained of must file an answer to the complaint, with certificate of service on other parties endorsed thereon, within the time specified in the order or such extension thereof as the commission, for good cause shown, may grant. The answer must contain a specific denial of such material allegations of the complaint as controverted by the defendant and also a statement of any new matter constituting a defense. If the answering party has no information or belief upon the subject sufficient to enable him to answer an allegation of the complaint, he may so state in his answer and place his denial upon that ground. (See Section 15(2))

Section 15. Forms. (1) In all practice before the commission the following forms shall be followed insofar as practicable:

- (a) Formal complaint.
- (b) Answer.
- (c) Application.
- (d) Notice of adjustment of rates.
- (2) Forms of formal complaint.

Before the Public Service Commission
(Insert name of complainant))
COMPLAINANT)
vs.) No. _____
(To be inserted
by the secretary)
(Insert name of each defendant))
DEFENDANT)

COMPLAINT

The complaint of (here insert full name of each complainant) respectfully shows:

(a) That (here state name, occupation and post office address of each complainant).

(b) That (here insert full name, occupation and post office address of each defendant).

(c) That (here insert fully and clearly the specific act or thing complained of, such facts as are necessary to give a full understanding of the situation, and the law, order, or rule, and the section or sections thereof, of which a violation is claimed).

WHEREFORE, complainant asks (here state specifically the relief desired).

Dated at _____, Kentucky, this

(Name of each complainant)

(Name and address of attorney, if any)

(3) Form of answer to formal complaint.

Before the Public Service Commission
(Insert name of)
complainant))
COMPLAINANT)
) No. _____
vs.) (To be inserted
) by the secretary)
)
(Insert name of each)
defendant))
DEFENDANT)

ANSWER

The above-named defendant, for answer to the complaint in the proceeding, respectfully states:

That (here follow specific denials of such material, allegations as are controverted by the defendant and also a statement of any new matter constituting a defense. Continue lettering each succeeding paragraph).

WHEREFORE, the defendant prays that the complaint be dismissed (or other appropriate prayer).

(Name of defendant)

(Name and address of attorney, if any)

**SOUTH CENTRAL BELL
TELEPHONE COMPANY
KENTUCKY**

GENERAL SUBSCRIBER SERVICES TARIFF

PSC KY. TARIFF 2A
Second Revised Page 4.1
Cancels First Revised Page 4.1
EFFECTIVE: September 1, 1994

ISSUED: August 1, 1994
BY: M. H. Greene, President - KY
Louisville, Kentucky

A2. GENERAL REGULATIONS

A2.3 Establishment And Furnishing Of Service (Cont'd)

A2.3.1 Availability Of Facilities (Cont'd)

E. Exchange Boundary Administration Procedures (Cont'd)

1. Intracompany Procedures (Cont'd)

- f. All buildings and premises of a subscriber on his continuous property are considered to be same area.
- g. All buildings and premises on the continuous property of a common endeavor, such as an estate, amusement park, or airport, are considered to be in the same area as the owner or operator of the common endeavor. Each occupant of such building or premises may subscribe to his own service; however, this procedure is applicable to every occupant of such building or premises, whether or not a part of or concerned in the common endeavor.
- h. In developments, such as trailer parks, tourist camps, and housing projects, where the buildings, trailers, or other structures are occupied by persons who are not a part of a common endeavor, private streets, roads, and driveways in such developments are considered, under the provisions of the preceding paragraphs, to be public roads for the purpose of determining the road to which a building, trailer or other structure has an entrance. Each building, trailer and other structure is considered separately for the purposes of determining the area from which it will be served.

2. Intercompany Procedures

Beginning on April 8, 1989, the following procedures will be used with respect to establishing intercompany boundaries of exchange areas, basic rate areas, and locality rate areas.

- a. Intercompany exchange boundaries will be administered according to the geographical location of the customer's principal premises except in the following cases.
 - (1) All units of a multi-unit building, such as a two family house, an apartment house, or an industrial building, are considered to be in the same area.
 - (2) All buildings and premises on the continuous property of a common endeavor, such as an estate, amusement park, or airport, are considered to be in the same area as the owner or operator of the common endeavor. Each occupant may subscribe to his own service; however, this procedure is applicable to every occupant of such buildings or premises, whether or not a part of or concerned in the common endeavor.

A2.3.2 Flat, Measured And Message Rate Service

When Flat, Standard Measured, Low-Use Measured, Message rate or Area Calling Service types of service are offered in an area, an applicant may, at his option, select any one of these types of service which are available. Combinations of any of these services will not be furnished on the same premises to the same subscriber or to a group of different subscribers, except that this does not apply:

- A. To hotel and hospital premises where Flat Rate Service may be provided for the exclusive use of hotel or hospital management, in addition to the Area Calling Service, Measured or Message Service ordinarily provided in guests' or patients' rooms and lobbies. This exception does not permit the combining of Area Calling Service, Measured and Message Rate Trunks. Guests or patients may contract separately for one of the services that may otherwise be available to them.
- B. To premises where semipublic or public telephones may properly be located.
- C. To nonadministrative lines connected to secretarial service facilities and not furnished with outward service.
- D. To premises where Back-Up* Line service may properly be located with flat rate primary line service.

(N)

**PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE**

SEP 01 1994

**PURSUANT TO 807 KAR 50.11,
SECTION 9 (1)**

BY: Jordan C. Hall
FOR THE PUBLIC SERVICE COMMISSION